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IN THE UNITED STATES DISTRICT COURT
DISTRICT OF ARIZONA

United States of America,
Plaintiff,
v.
Jose Alfredo Lugo-Castro,
Defendant.

No. 08-3069-M

**ORDER EXTENDING
TIME TO INDICT**

(First Request)

14 HAVING considered Defendant's Motion to Extend Time to Indict and
15 good cause having been shown;

16 THE COURT makes the following findings:

- 17 1. Counsel for defendant has only recently been appointed;
- 18 2. The defendant earnestly wishes to consider the plea offer extended by
19 the government;
- 20 3. The defendant wishes to investigate possible defenses prior to
21 considering the government's plea offer;
- 22 4. The government's plea offer, if accepted by the defendant and then the
23 court, would likely reduce defendant's exposure to a significant term
24 of imprisonment;
- 25 5. If the defendant does not timely accept the plea offer prior to
26 indictment, the government will withdraw said plea offer and any
27 subsequent plea offer after indictment would likely be less
advantageous to the defendant;
- 28 6. Failure to extend time for indictment in this instance would thus operate
to bar defendant from reviewing the government's plea offer in a
meaningful way prior to indictment; and

7. The ends of justice served by this continuance outweigh the best interest of the public and the defendant in a speedy indictment.

IT IS HEREBY ORDERED that defendant's Motion to Extend Time for Indictment requesting an extension of thirty (30) days within which the government may seek to indict defendant, is hereby granted.

IT IS FURTHER ORDERED that pursuant to the Speedy Trial Act, 18 U.S.C. 3161, the Government shall have an extension of thirty (30) days to file a timely Indictment. Excludable time shall begin to run on the 31st day after arrest for a period of thirty (30) days in which the Government may present the case to the grand jury.

DATED this 8th day of April, 2008.

Lawrence O. Anderson
Lawrence O. Anderson
United States Magistrate Judge